IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

WP(C).No. 4139 of 2006(P)

SC.629/2004 of DISTRICT COURT, ALAPPUZHA
.....

PETITIONER:

SEBASTIAN T.V. AGED 40 YEARS,
S/O.WILLIAM, THERATHU, PALLITHODU PO,
ALAPPUZHA DISTRICT.

BY ADV. SRI.K.S.SAJEEV KUMAR

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT HOME DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.S.U. NAZAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

R. BASANT, J.

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W.P.C.No. 4139 of 2006 P

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Dated this the 12th day of March, 2007

JUDGMENT

There is no representation for the petitioner. The short grievance of the petitioner, who is the brother of the person who has been murdered, is that though the incident had taken place as early as in 2003 and the Sessions Case was registered in 2004, the matter has not been taken up for trial so far. Unless the matter is disposed of expeditiously, witnesses are likely to be intimidated and truth will be the casualty, submits the learned counsel for the petitioner.

2. Report of the learned Addl. Sessions Judge, Alleppey, was called for. The report has been received. I have perused the report. The learned Judge has reported that steps shall be taken to dispose of the case as expeditiously as possible. The case is listed to 4.4.2007 for framing charges. Immediately thereafter the matter shall be listed for trial and taken up for disposal. The vacation has intervened and therefore time is prayed for by the learned Judge till 30.6.2007. If permission were granted to sit during the vacation, the matter shall be disposed of in May, 2007 itself, reports the learned Judge.

3. I accept the submission of the learned Addl. Sessions Judge. I accept the undertaking that the matter shall be disposed of in May, if permission is granted to sit during vacation and if not by 30.6.2007. I find no reason why permission should not be given to the learned Judge, who offers to sit during vacation for disposal of the case. The learned Judge can seek permission of the High Court to hold the sitting during the vacation. No further directions appear to be necessary.

4. This Writ Petition is accordingly allowed, accepting the submission of the learned Addl. Sessions Judge that the matter shall be disposed of,, at any rate, in June, 2007, if not in May, 2007.

5. Communicate copy of this judgment to the learned Addl. Sessions Judge forthwith.

(R. BASANT)
Judge

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